# THE DESERET EVENING NEWS.

FIFTY-SECOND YEAR

TUESDAY, JANUARY 7, 1902. SALT LAKE CITY, UTAH.

NUMBER 40

# SCHLEY'S INTERVIEW WITH PRESIDENT.

Requested Appeal for Reversal of Secy. Long's Action and Disapproval of Majority Judgment, Which Was Granted.

for Rear Admiral Schley, came over

from Baltimore today and were closeted

for several hours with their client, Ad-

asked his counsel to come here that he

might acquaint them with the result of his talk with President Roosevelt

While it is not definitely known how

much time was afforded in which to

prepare the appeal, it is understood to

be the wish of President Roosevelt that

the matter be presented as early as

filed with him.

Its Entrance Most Brilliant Scene Ever Witnessed in Pekin-A

Thousand Gorgeously Attired Noblemen in Procession-Double

Row of Kneeling Soldiers Lined the Four-Mile Route.

cession consisted of a thousand gorge- | the Chien gate.

escort carrying hundreds of gay ban- the four-mile route.

ously attired noblemen mounted upon

glitteringly caparisoned horses. The

Chun, the empress and several princess-

member of the posse in pursuit of the

nurderers of Sheriff Ricker, who was

Woodward and Frank S. Foote late

last night. Bell and Enoch Jones were

left at the Woodward ranch by the

two alleged murderers came to the

ranch. They had had nothing to cat

W. E. Tubbs has been appointed

sheriff and has sworn in a large num-

ber of citizens to protect the jail. The

crowd attempted to secure the prison-

ers on the way to the jail, but were

EXPLOITS OF SIX

posse to watch. Early Monday the vay.

killed last week, brought in Clarence | lodged in jail

The following statement was given

Washington, Jan. 7.-The object of out some new facts which have an im-Washington, Jan. 7.—The object of Admiral Schley's visit to the White Messrs. Raynor and Teague, counsel House yesterday was to request the President to entertain and consider an appeal for the reversal of the action of appeal for the reversal of the action of miral Schley would not discuss the Secy. Long and the disapproval of the matter beyond stating that he had majority judgment of the court of inquiry. The interview was satisfactory, the President granting the admira's and agree upon the best method of bringing the facts before the President. request, Messrs, Raynor and Teague l today assist Admiral Schley in preparation of the appeal. The interview with the President was

arranged in advance and at its conclu-ion Admiral Schley left the White Youse in a satisfied state of mind. He been given a full opportunity to resent the case from his standpoint nd to acquaint the President with many details with which the latte. many details with which the latter, could not have any knowledge. While Admiral Schley would not make any statement regarding the matters discussed, holding that any interview becaused, tween a naval officer and his command-in-chief should be regarded as confiential, it is understood that he brought the President's attention many of e alleged injustices and discrepancies the majority report of the court of

admiral Schley's interview with the resident was the result of his deterination to exhaust every means in his to overturn the judgment which has been rendered against him. His new appeal will be different from that ubmitted to the department, bringing about the 20th inst. they got. They did not take any of the bank's papers, most of which were damaged by the two explosions. The robbers were all masked. Some wore red bandannas over their faces and the others had on black handkerchiefs. The vatchmen say that all the bandits appeared to be middle-aged men, none of them under 35 years of age. The lead-er, a man of about 40, was tall and slender, probably 6 feet, 2 inches, with a sallow complexion, short brown moustache and black eyes. Like all the others, the leader wore a dark suit and a dark overcoat with a soft black hat. Philpot says that while he lay in the printing office he could plainly hear two WHAT ROBBERS GET.

stockyards. This is the bank whose officers recently swore out a warrance charging Theodore Duddleston, the assistant cashier, with embezzling \$12,-000. H. E. T. Hollister was at work in one of the offices on the floor where the bank is located when the robbers firs made their appearance at 7 o'clock. He worked through until 8:30 o'clock. He noticed several men at different times entering and emerging from the corri-dor. Some of them he recognized as employes while others were strangers to him. The police of both cities are investigating the robbery, and it is said some sensational arrests may be made

For Week Were 36 Killed, 9 Wounds ed, 261 Captured, 72 Surrendered.

cut by Admiral Schley's counsel at the conclusion of the conference: "Admiral Schley has concluded, after London, Jan. 7.-Lord Kitchener, tele-graphing from Johannesburg, Monday mature and careful deliberation, to appeal from the majority decision of the Jan. 6, reports the occurrence of a number of skirmishes in various part court of inquiry to the President of the of the war field. The most serious were at Amersfoort, Jan. 3 and Jan. 4 when Major W. H. Plumer and Col United States as commander-in-chief of the army and navy. The action having been determined upon, nothing more can be divulged at this time, the J. S. Pens were in contact with Com-mandant Christian Botha's and Comregulations of the navy being such that the nature of the proposed appeal can-not be revealed except by the President mandant Opperman's commands. They drove the Boers from their positions after considerable fighting, during which the Somerset light infantry suf-fered severely. Major Vallentine and 18 men were killed and five officers after the formal documents have been Mr. Raynor stated that it will take some time to prepare the appeal and and 28 men were killed and nve omcers left nine men dead on the field. Cof. Colenbrander surprised Field Cornet Louw's laager at Waterval, Jan. 5, killing five men and capturing 29. hat it will not be filed with the President until after the return of Admiral Schley from his visit to Savannah, Lord Kitchener mentions other minor CHINESE COURT IN FORBIDDEN CITY

urprises and captures. Gen. French reports that the Boers in Cape Colony are so reduced in numpolice system to keep them in check. The week's totals of Boer casualtie are 36 men killed, 9 wounded, 261 made

prisoners, and 72 surrendered. Geo. N. Wiswell Dead. Milwaukee, Wis., Jan. 7.-George N. Wiswell, president of the Milwaukee Mutual Life Insurance company, died today after a three weeks ilness, aged 50 years. Mr. Wiswell was first stricken with pneumonia three weeks ago and when that malady was overcome an ulceration of the cavities of the

Pekin, Jan. 7.—The imperial court en- | ners and silk umbrellas. The troops of tered the Forl iden City at 1:30 this Gen. Yuan Shi Kal, governor of Pe heart set in which resulted fatally. fternoon. It was the most brilliant | Cui Li, preceded the emperor. The for-The emperor and empress-dowages entered the temple in the gate and emperor, the empress dowager, Prince | burned incense. The dowager empress St. Louis conventions. He served as United States marshal of the eastern district of Wisconsin under President upon emerging from the temple saw the es were borne in yellow chairs, their foreigners peering down and bowed. A double row of soldiers, kneeling, lined Harrison. Mr. Wiswell was a promin-ent Mason, Knight of Pythias and Odd

MURDERERS OF SHERIFF RICKER. Mr. Cleveland Improving. Princeton, N. J., Jan. 7.-Former President Cleveland, though not yet fully recovered from his illness, is much improved in health. Mrs. Cleveland said today: "Mr. Cleveland is still Clarence Woodward and Frank S. Foote Brought Into Casperweak from his illness, but he has be-come strong enough this week to leave Had Had Nothing to Eat and Were Badly Frozen-Town Much will not, however, be able to go out Excited-Number of Citizens Sworn In to Protect Jail.

### COOPER'S BILL.

Casper, Wyo., Jan. 7.-Levi Bell, a prevented. Bell had them tied and concealed in a wagon and the crowds were partially deceived as to the pre-Government for the Philippines. sence of the prisoners until they were House committee on insular affairs, to Deputy John Sherman reports that Charles Woodward, another of the esform of civil government for the Philcaped men, was seen Saturday near the Arbell ranch, 25 miles west of Er-Woodward was on foot and going west. Deputy James Kennedy and his men got fresh horses at the ranch and started four hours behind the war department and introduced by Mr.

he house of delegates and consists o e able to read and write Spanish English, shall possess taxable property and shall have resided for one year in the islands.

of complicity., from a threatened mob,

with quadruple plate doors, was next encountered. The plates were drilled encountered. and a charge of nitroglycerine inserted. The explosion destroyed more books and papers and scattered about \$600 in gold and silver upon the floor. This mo was not taken by the robbers. They took all the other currency and coin, amounting to about \$5,000, as nearly as the bank officials can estimate. The five men left the men and signaled to

Five minutes after the robber guard left the composing room Estep, who had not been bound securely, worked loose and released Clark and Philpot. This was about 4 o'clock. Estep then ran to the telephone and called up Charles T. Jones, general manager of the stockyards, and informed him of the robbery. President C. Gordon Klox, of the bank, was also called and he spon arrived at the stockyards. Mr. Knox said that if the robbers had made caught on the steps of the Exchange have secured about \$10,000 more than \$4,228,063.

# DRIVING CLUB BEING PROJECTED.

Proposition Receives Further Consideration at a Meeting of D. A. & M. Society Directors and Local Horsemen This Afternoon-Another Meeting Called.

G. McDonald and Secretary Sears, the committee of the D. A. & M. Society, appointed to confer with the representa-tive horsemen of the city, met with the letter this afternoon and talked but the horsemen are said to have the letter this afternoon and talked over the situation. The outcome was over the situation. The outcome was that the horsemen will report to a mass mittees this afternoon the representameeting of those interested which will be called for 8 p. m. Saturday night in of the proposition. the Salt Lake Saddlery premises on

Second South. osition of forming a driving club along the lines of those in the larger cities of the United States, and then a proposal will be submitted that the driving club time that is expended upon the im- ing the project.

President Empey, John C. Cutler, J. | provements they will ask for a lease McDonald and Secretary Sears, the from the D.A. & M. Society of the property involved for a stated period o

> term of fifteen years in view tives of the Agricultural society ar

The new driving club expects to num-ber in its ranks all the leading horse-The meeting will be called with the view of laying before the horsemen of Salt Lake and Utah generally the propweek and will also endeavor to get out some of the best horses in the country from time to time.

The committee of horsemen who waited upon the representatives of the

Construct a mile track upon the new Fair grounds at Agricultural Park, erect stables, grand stands and other adjuncts to a first class driving park and in consideration of the money and the the track of the new and the new and

### WANTS ONE HUNDRED THOUSAND DOLLARS

Price Set on Old University Buildings by State Land Board at a Meeting Held This Morning.

board this morning it was decided to ready made on the buildings, the balance will be required to be paid in make an offer to the school board to sell the old university site and build- | year. ings to the school board for \$100,000. The offer includes the two old buildings known as the university prope The offer will be taken under considboard to be held this afternoon.

at \$100,000, decided to allow the school surance.

At the meeting of the state land | board \$12,500 for the improvements alseven years at the rate of \$12,500 a

The offer includes the two old buildand the deaf and dumb asylum, eration at a meeting of the school also the laboratory building a block away with their sites. board is to assume all the expenses of The land board in setting the price | maintaining the buildings and the in-

## ALL WANT THE COMMERCIAL CLUB

The idea of a commercial club continues to meet with favor, and the manager of a prominent business house said this morning in connection with the proposed movement: "We do not | This is quite different from meeting i want a chamber of commerce, but we a business office or in a small hall with settees as devoid of suggestions o want a commercial club. The club organization includes the most desirable | foliage. features of the chamber of commerce with a club's social attractions. Such an organization ought to, and would be largely a noonday affair, where busimen could take their customers, patrons or business acquaintances to unch and discuss with them such matters of mutual commercial interest. Why, in one hour at lunch an immense ommittees might meet in the club rooms to discuss questions referred to

them for examination. A chamber of commerce is barren of those social sur-It is a sort of a wide open institution where all can go who have an axe to grind, and sooner or later members begin to avoid attendance wherever they can, and shortly the attendance falls away so materially that committee work, or any kind of work for that matter, is more and more neglected until geenral paresis is the result.

of comfort as a telephone pole is o "Before coming to Salt Lake, I was a member of the Kansas City club

The club organizaa great success. tion shuts out cranks, men with axes to grind, of no account, men with a hobby they can't ride, men will ill balanced make-ups who can not be shu amount of business can be transacted. out of a chamber of commerce. Witi Then, in the evenings, the various such an organization as a club insures waste of time would be reduced to minimum, and a great deal of valuable work would be done. Of course, it will be understood that there is to be no drinking or gambling in connectio with the commercial club. Those two things will be shut out."

When asked who should call a meet ing for the organization of the the manager suggested that the Gover-ner call it, as he is in excellent touch ty, and commands the respect of all classes.

# WNE ROAD TO THUNDER MOUNTAIN

ner with Senator Shoup and one of the best known men in the state of Idaho, is a guest at the Cullen hotel. He says there is a movement on foot with good prospects of being carried through in the proposed building of a wagon road from Three Forks to Thunder Mountain, which would cost, Mr. McNab thinks, about \$35,000. This would make an excellent road from Red Rock on the Short Line and a better entrance, it is claimed, to the Thunder Mountain country than via Mackay, because it is a water way all the way from Red Rock. There is a good road now running from Red Rock to Salmon, 68 miles; and from Salmon to Three Forks, 55 miles. From there to Thunder Mountain is eighty one miles,

A. J. McNab, formerly business part- | via Middle Fork, Roan Creek and Mar-Mr. McNab says that as far as is known now the gold belt in Thunder Mountain district is eight miles long and two miles wide. It is a clear gold,

easy milling proposition, though to small extent there is placer working He says a good deal of this has already been taken up, and that people who ge there first will occupy the ground floor. does not advise any one's go ing into that region now because there is no settlement in there, and no provisions. There is wild game, but this is uncertain. In the spring there will be a regular cavalcade into the dis that the gold belt will then b found to be much more extensive than the present known dimensions. Savs Idaho is bound to show up in great shape during the current year.

## **PROCEEDINGS** IN THE HOUSE.

the House until disposed of.

Without prelimiary business, the

thirty-seven states had instructed their congressional delegations to support a bill for an international oceanic waterway; all political parties had aligned themselves in favor of it; the subject had been discussed in Congress, scientific societies, the newspapers and on the hustings until there was now a volume of literature on the subject such as was never before devoted to a single pro-

Walker commission gave careful consideration to every feature of the work The bill submitted by his committee proposed to concentrate all authority n the hands of the President. opened no opportunity for defunct statesmen or for pensioning of persons who had been passed in the race of life. It gave the United States the authority to protect, defend and operate the canet. In view of all the reports submitted, Mr. Hepburn said there could now be no question in the mind of any well informed man of the feasibility and practicability of an in-

Referring to the efforts of the Pana-

vork less than one-fourth completed. penniless and bankrupt in money and The disaster of this company he said proved conclusively that the work

There was not an atom of work in general engineering, said he, yet to be done. In favor of the feasibilty and practicability, no enterprise that ver received the attention of man had been so conclusively proved. If the pending bill became a law the work

could begin at once and should be completed in eight years. Mr. Hepburn said that as a commer-cial venture the commission's figures of 7,000,000 tons could be safely taken At the latter figure the total revenue at the Sucz rate would be \$14.000,000 enough to meet the cost of mainten ance, (\$3,500,000), and leave over \$10, 000,000 to meet interest charges if there

here might be some interests in the nited States which believed they would be harmed by the rivalry of this canal and there were gentlemen of hon-est purpose who thought that the time was not ripe for the building of a can-al or that an enterprise of such magni-tude should not be undertaken. They were perhaps terrified by the spectre of scandal, "But," he continued, "I insist that the American people have made their decree that the canal shall be built and that now is the time to build it." (Applause.) Mr. Hepburn about the recent report ed offer of the Panama company to sel

cut for \$40,000,000 and Mr. Hepbur said the committee reported on an o fer of \$109,000,000, but he could not tel what would have been its report or the last reported offer. At all events the Nicaraguan route was 400 miles hearer the United States than Panama Mr. Hepburn declared there was no certainty that the Panama company had submitted a new proposition, the if it had it was trying to save a por-tion of its investments, that the purpose was delay and that he did not be lieve the United States should become involved in the discredited enterprise at Panama, If the proposition had been made Mr. Hepburn declared that the Panama company had forfeited right and that we should deal with

#### RECRUIT TRAIN WRECKED. Of Three Hundred Men Aboard, Only Three Were lejured.

Chicago, Jan. 7 .- A Rock Island special bearing three hundred recruits bound for the Philippines from Columbus barracks, Ohio, was patially wrecked in Twenty-second street early today, Three men were injured, as follows: Henry Lewis, crushed between cars, nternally injured; taken to hospital. C. C. Murphy, thrown from train and foot crushed, continued journey. Lawrence Schaeffer, thrown out of window and clothing torn from body; escaped with slight bruises.

A tourist car containing fifty soldiers, lost its rear truck and was dragged half a block before the engine stopped and the car was badly damaged. A sleeper occupied by eight officers and the wife of one of them, was thrown to an adjacent track but maintained its upright position. After several hours' delay the train was re-made and the journey continued. The accident is said to have been due to the failure of a switch to work properly.

### COLORADO BANK CLOSES. Caused by Failure of Colorado Sugar

Beet Co. to Meet Its Obligations. Grand Junction, Colo., Jan. 6 .- The Colorado State bank was today placed in the hands of W. T. Dowrey, as assignee. Cashier J. E. McFarland issued a statement to the effect that the closing of the bank was due to the inability of the Colorado beet sugar factors. tory to meet certain notes due to the bank of Hanover, N. Y., and that in order to bring about the most satisfac-tory settlement for all concerned it was decided to close for a period of

two or three weeks. McFarland is also manager of the beet sugar company. Some time ago the bank secured the loan of \$30,000 from the Hanover National bank of New York for the Colorado Sugar com-

The New York bank recently force1 the collection of the loan, thus com-pelling the local bank to suspend. A meeting of the directors of the sugar company will be held this week in Denver to take steps for the protect of creditors. It is claimed the bank has posits of \$180,000, and within three r four weeks will resume business The Colorado State bank closed its doors in 1895, but was reorganized with in a short time afterward. T. M. Jones

### AFTERNOON MINING CALL. All Stocks Ruled at Lower than Morning's Figures.

This afternoon the following stocks participated in the trading to the exent named and at the figures given: Ajax, 2,900 at 57%-56%.

Dalton and Lark, 1,000 at 11/4 Uncle Sam Con., 1,700 at 69-861/2. Victor, 400 at 45. Yankee Con., 100 at \$3.80. California, 5.600 at 76-7514. May Day, 2,300 at 6112-62%.

#### STATE STREET FIRE. Small Blaze in Doyle Plumbing Establishment.

The fire department was called out thisafternonon to put out a fire on State Geo. E. Doyle and company threw : match into some cakum in the premises in the Holmes building between Second and Third South on State steret. It blazed up and for a time it looked as if a fire of consequence might occur. However, before any damage was done the fire was put out,

#### BRIDLE AND HALTER SNAP HOOK. (Special to the "News.")

Washington, D. C., Jan. 7 .- A patent for a combined bridle and halter snaphook issued James Candlish, Rawlins,

### PIONEER W (NAN DEAD. Esther Wainwright Bennion Goes to Her Rest in Her S5th Year.

Another pioneer woman succumbed to the inevitable last night. She was Mrs. Esther Wainwright Bennien, who passed away at the residence of her son, Ira Bennion at Taylorsville.

The deceased had led a life of wonderful activity and as late as yesterday was able to move about the house going from room to room without asit was evident that the end was near sarrounded by members of ner family. Her funeral will take place from the Taylorsville ward house on Thursday at 10 o'clock and friends are cordially invited to attend.

Mrs. Bennion was the wife of the late John Bennion. She leaves eight dren, three sons and five daughters Among her sons is Samuel R. Bennion president of the Uintah Stake of Zio and was born in 1817, and was there fore in the eighty-fifth year of her age In 1840 she embraced the Gospel, and it is said of her that she never once way. ered in her faith. The same year she became identified with Mormonism she became the wife of John Bennion and went with him to Nauvoo with the first Mormon emigrants that left England for this country; and with him she came to Utah in 1847. Mr. and Mrs. Bennion were among the earliest settiers of Taylorsville; also among the most widely known and highly respect-

# MINNESOTA FILES BILL OF COMPLAINT

In U. S. Supreme Court Against Northern Securities Co.—State's Interest Pointed Out-Remedy Prayed For, Injunction.

ace B. Douglass of Minnesota filed tolay in the United States Supreme Court he bill of complaint in the case of the state of Minnesota, complainant, against the Northern Securities company, defendant.

It is a long document, about 10,000 vords, covering 32 pages of printed matter. The bill first points out the direct interest the state has in the proposed consolidation. It still owns more than three million acres of public land, valued at more than \$15,000,000. and traversed in part by the lines of the Great Northern and Northern Pacific railroads. If the merger is effected, these roads will cease to build spurs nto these lands or compete for their business. The value of the lands will ot increase as it has under the spur f competition and the state will lose the taxable value of its property. The lands will not be opened for years and development will be arrested. It is next set up that the state expends more than \$700,000 annually in the operation and maintenance of its educational, charitable and other public in-stitutions; that this is mostly raised by direct taxation; that the amount which can be raised and the successful maintenance of these institutions for the benefit of its citizens depend largey on the value of the real and per-sonal property within the state, which in turn depends largely on free railroad competition. It has been the settled policy of the state to encourage railroal building by grants of lands and in this way over 10,500,000 acres have been granted, nearly all of which has been granted to the Great Northern and Northern Pacific, and their subsidiaries. The complainant alleges that the rates on the immense shipments of wheat and other merchandise over the lines of the two companies have been lower than they will be under any arrangement which contemplates unity of con-

### CHARTERS RECITED.

The bill then recites the charters and ncorporations under which the Great road and cites the clause in its charter providing that its affairs are to be conicted by a board of directors which to do all things necessary "and not ensistent with the constitution and aws of the United States or the laws of this territory or this act."
It is further alleged that James J

Hill holds a controlling interest in the \$125,000,000,000 of capital stock. The history and character of the Northern Pacific are similarly recited special attention being paid to the roads acquired and built within the state. By filing its articles of incorporation in Wisconsin with the Minnesota authorities the Northern Pacific became subject to all the laws, regula tions and provisions of Minnesota, facts as to the present personnel of the lirectory, the insolvency of the old ompany and its re-organization in 1893 purchase of the St. Paul and Duluth road in 1899 are recited at length systems are not only competitive between points within Minnesota, but that they furnish the only competitive lines between Minnesota and Puget Sound and have so furnished for elever vears. They are also with an excep ion the only lines traversing northern

A paragraph is devoted to the Burington and the facts as to the terms on which its contro! was obtained by the two systems jointly, Charles E. Ferkins, its former president and pres-Northern Secureties company, The certificate of incorporation of the latter filed in New Jersey November 13, 1901, is quoted in full.

COMPANY'S ORGANIZATION. Taking up the Northern Secureties

company it is set forth that it was or-ganized by J. J. Hill, W. P. Clough, J. Pierpont Morgan, and "other asso-ciates to the oratrix unknown," who at the time, were continually in con-ference over means by which the laws of Minnesota might be successfully evaded or avoided, and that it was so rganized solely for the puropse of effecting a consolidation of the Great Northern and Northern Pacific. The wners of a large majority of the stock of the two systems had agreed before hand to transfer to the new company to per cent of the stock of the two sysfull and to retire the preferred stock of the Northern Pacific. In furtherance of the plan to evade the laws of Minesota it was agreed that, pending the Secureties company it should all be or be under his control. The Northern Securities company, it is charged, does not intend to purchase this stock, but amply to issue its own stock in exchange therefor. For these unlawful purposes the company is about to rerelye, unless enjoined therefrom, all the capital stock of the Great Northern

Washington, Jan. 7 .- Atty.-Gen. Wal- | claimed, is part of a plan of Hill, Morgan and their associates, whereby the two systems are to be consolidated and laced under the direction of one man fraced under the direction of one had or board of directors, through the defendant company, and thus bring about and perpetuate a monopoly in rallway, traffic in Minnesota and a complete consolidation of the two systems. One man or board will thus, it is alleged, by card or board will thus, it is alleged, be onabled to fix all rates on lines of the state, determine what trains shall be run, remove all competition, and prevent the building of lines into new country or into competitive territory. IN RESTRAINT OF TRADE.

This agreement and the consummation thereof, is claimed to be "in testraint of trade, against public policy and void." Under its terms the directory of the Northern Securities comtory of the Northern Securities company may change its own rules or may delegate all its authority to an executive committee. It is pointed out that Hill, the president; W. P. Clough, the vice president, and E. T. Nichols, the treasurer and secretary of the company were all, at the date of its orgardzation, officers of the Great Northern, and that a majority of its directory were also directors of the Northern Facific. It has been the policy of the state to prohibit consolidation of parallel or competing lines, and the law of 1874 in which such prohibition is made 1874 in which such prohibition is made is quoted in full as well as the amplifying act of 1831 and the anti-trust law of 1334 prohibiting any combination in resaraint of trade. It is set up that the Northern Securities company is a railroad corporation within the meaning of the Minnesota laws and that its design is to evade and violate these taws in such way as to cause the state "irreparable injury." It is not the owner of any other property or stock or securities and is engaged in no other business save that of management and control of the Great Northern and Northern Pacific, Airendy, so it is alleged, J. J. Hill, as president of the Northern Securities company, has changed, dictated and controlled the olley of the two constituent roads and during December, 1901, it is alleged, the general managing officers of the Great Northern, acting under his direction, took charge of and engaged in managing a large portion of the Northern Pacific. It is alleged that it is the settled policy of New Jersey to allow the con solidation of only such railroads as a or can be connected to form contin us lines and not to permit the conso lation of parallel or competing lines. The oratrix, claiming to have no other dequate remedy or relief, except as prayed for in equity, asks that the de-fendant be required to show cause why

it should not be perpetually enjoined and restrained. INJUNCTION PRAYED FOR. First-From voting at any meeting of the stockholders of the Great Northern and Northern Pacific the capital stock of these companies, and from attending in any manner such meeting. Second-From aiding, advising, inter-

ing in the management of the three Third-From permitting any of its officers, agents or servants from acting as representative, director, officer or employe, or exercising any control,

management or direction over the same. Fourth-From making any arrangements or combinations having for their object the joint control. Fifth-From holding, owning or controlling any of the stock of either com-pany, the defendant company being re-

mired to re-assign or re-transfer all was received, taking in return its own stock issued in exchange therefor, and meantime to be enjoined in all respects in relation to said stock as hereinbefore prayed for.
Sixth—From receiving any more stock

of the two companies in case it shall appear that the defendant company has not yet acquired a controlling interest

Seventh-The oratrix prays permission to amend the complaint if sary and bring in other parties for the purpose of giving force and effect to any decree of the court and asks the court to issue a subpoena against the defendant company and set a day for

Besides Atty.-Gen. Douglass, M. D. Munn of St. Paul and George P. Wilson of Minneapolis are named as counsel. PROCEEDINGS IN COURT.

The proceedings in the court were very brief. Atty.-Gen. Douglass was recognized as soon as the court was convened and he then moved "for leave to file and present a bill of complaint on the part of the State of Minnesota against the Northern Securities com-pany." Chief Justice Fuller asked if notice had been given to the Securities company and being informed in the negative, said there was no rule requiring such notice. He added, "We will take the papers."

Mr. Douglas handed in his bill of complaint and also a brief citing authorities. The attorney-general and his assistant counsel, Mr. G. P. Munn and Mr. G. P. Wilson, then retired. The court took the motion under advisecourt took the motion under advisement as usual in such cases and will and Northern Pacific. This, it is give its decision in due course of time.

## PAUL C. SELLMANN WINS CASE.

[Sre ial to the "News"]

Washington, D. C., Jan. 7 .- Court of claims has rendered judgment in favor of claim of Paul C. Sellmann, who was lerk in Boise, Idaho, land office, and was dismissed on November 1st, 1897. Sellmann, through his attorneys, Andrews and Andrews, sued to recover salary from the time that he had been | Sellmann has a brother in Salt Lake.

dismissed. The others removed were D. J. Cohen, H. J. Wickersham and Alice S. Harvey by the surveyor general giving the reason at the time that there was no work for them, but the next day their places were filled by This case was taken before the court as a test one. Suits will now be brought by the other parties who were removed at the same time. Mr.

to Stockton, Toocie and very likely to

ELECTRIC LIGHT PLANT. One is to be Installed at Tooele by E. W. Clark.

Grantsville. The horse-power at the lowest water will be 226, but the company will have an abundant supply of coal on hand during the short time of low water to keep the power up to the high water mark. Mr. McBride thinks the White House. He reports that E. Toocie will be lighted by electricity W. Clark Light and Power company of preity soon, and he doesn't see why Tooele as about to get ready for busi-Tooele as about to get ready for busi-vice there also. He also says as to the fog, that in January, 1887, there ele canyon, of 300 horse-power, and were ten days of just such fog in Toowere such.

ed. The deceased leaves a large numele canyon, of 300 horse-power, and were ten days of just such fog in Toocapable of furnishing light and power ele as has been obtaining in Salt Lake

horsebrick.

WAS A ROUGH RIDER.

St. Louis, Jan. 7.-Six masked men entered the National Stockyards bank, North East St. Louis, Ill., last night, and after choking and gagging the two nightwatchmen and the fireman at the steam plant and blowing open the vaults with dynamite, secured \$5,000 in coin and currency, with which | Exhange building, near the center, With they decamped, early today. From ? o'clock last night until 4 a. m., they are of a double thickness of steel and were at work on the vaults without being interfered with. The entire East St. Louis police force, aided by the St. Louis police, are guarding all avenues of escape but as yet have obtained no clue to the whereabouts of the robhers, who, it is believed, escaped on

Lee Philiot, one of the watchmen, rough rider friend of President sevelt, was standing near the Exchange building, in which the bank is cocated, when he was addressed by three men who sprang out of a fence watchmen and fireman. This man jointy said: "We want you, Philpot," overpowered him before he could his revolver. The three robbers ook Pallpot to the composing room of the Daily National Stockyards Report-r, nearby, and laid him on the floor, de was bound hand and foot and gagwith towels. While lying there e other men came in. Philpot heard of the gang say: "Let's kin He was deterred from doing this, hilpot says, by the other robbers. One the six men was sent out with inons to secure the others. Albert ep, the other bank watchman, was

building. The robber went up to Estep and addressed him by name. Thinking it was a friend, Estep was taken unaware, and when a revolver was thrust into his face, was not in shape for de-

WATCHMAN TAKEN. composing room and left bound and gagged with his two companions. About midnight one of the robbers was left to guard the three captives, nitroglycerine the robbers blew open the steel doors of the vault. These doors

#### were shattered and the bank's books and papers blown into shreds. ENTERING THE VAULT.

and were badly frozen. The town is fugitive. Charles Woodward is the older brother and is supposed to be the one that shot Ricker. He told his wife before he broke jail that he was going and would never be taken alive. Clarence Woodward says he had nothing to do with the killing.

> BANK ROBBERS fense. Under threats of death he was forced to go to the composing room, where he was also bound and gaggeo.

> > Night Fireman L. W. Clark was taken unawares in the steam plant of the Exchange building. He reisted and was badly beaten with a sand-bag before subdued. He was also taken to the while the other five went to the bank, which is located on the first floor of th

Entering the vault, the big steel safe,

RELEASES HIS COMPANIONS.

## men outside, whose voices he recog-nized, yarding cattle. They were with-in 20 feet of him and the five robbers. who appeared quite uneasy and kept In addition to the \$5,000, the robbers secured \$550 left with the bank by Assisstant Postmaster Bushell, of the

### BOER CASUALTIES.

Mr. Wiswell was well known through-out the country, having served as sergeant at arms at the national Republican convention at Philadelphia two years ago and as assistant sergeant at arms at the Chicago, Minneapolis and

Fellow and la number of variousother fraternal societies.

### of doors until the weather becomes

Provides Complete Form of Civil Washington, Jan. 7 .- Representative Cooper of Wisconsin, chairman of the ippines to begin January 1, 1904, with a governor appointed by the President. legislacture of two houses and with two Philippine commissioners to repre-sent the Filipino people at Washington. In other respects the Cooper bill fol-lows that of Senator Lodge, heretofore summarized, but in the important fea-tures of establishing a civil government after January 1, 1904, Mr. Cooper's measure enlarges on the bill drawn at the

In framing a form of civil government for the Philippines Mr. Cooper follows recommendations of the Philippine mmission. Section 5 continues the authority of the commission until January , 1904, at which time the new civil government is to come into existence The upper branch of the legislature is called the council, and is to consist of President. The lower house is called thirty members, elected every two years by the vote of the Philippine people. The qualifications of voters are that they shall be over 21 years old, shall

To Protect Alleged Murderer. Jackson, Mich., Jan. 7 .- The governor's guard has been ordered to pro-ceed to Oxford. Miss., to protect Will Mathis, the alleged murderer, and those in jail with him under the charge

### UTAH NATIONAL BANKS.

[Special to the "News."] Washington, D. C., Jan. 7 .- Abstract of the condition of the national banks of Utah at the close of business on December 10, as reported to the comptroller of the currency thus: Average reserve held at 35.45 per cent against 40.98 per cent on September 30 Loans and discounts increased from \$4,003,413 to \$4,202,897

Total specie from \$889,336 to \$842,809. Lawful money reserve from \$954,-523 to \$905,034. Individual deposits from \$6,483,819 to

WYOMING BANKS.

The banks of Wyoming show average

reserve held at 25.12 per cent against

24.28 per cent.

Gold coin decreased from \$824,422 to

Loans and discounts; increase from \$3,810,296 to \$3,817,246. Total specie, decrease from \$245,110 to Lawful money reserve, from \$304,-342 to \$202,898. Individual deposits, from \$4,230,824 to

Washington, Jan. 7.-There was a fairly large attendance in the galleries of the House today in anticipation of the opening of the debate on the Nicaraguan canal bill which had been made a special order today. By the terms of the order, the bill will continue before

House went into committee of the whole (Mr. Grosvenor of Ohio in the chair) for the consideration of the canal bill, and Mr. Hepburn of Iowa, the chairman of the committee on interstate and foreign commerce, which reported the bill, took the floor to open the debate. He said the subject of a waterway across the isthmus connecting the Atlantic and Pacific oceans had been in the minds of the people of the world for more than 400 years. In the United States thirty

Mr. Hepburn said the report of the

na Canal company to build a canal by private enterprise, he summed up their efforts as follows: "The company raised \$256,000,000 by the sale of \$435,000,000 of bonds and after eight years the managers of the company found themselves with the

should be undertaken by governmental